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U.S. APPLICATION NUMBER NO. FIRST NAMED APPLICANT ATTY. DOCKET NO. AVAN/000657US 10/525.572 Vincent Lecoa

INTERNATIONAL APPLICATION NO.

PCT/FR03/02547

I.A. FILING DATE PRIORITY DATE

08/19/2003 08/23/2002

47389 MOSER, PATTERSON & SHERIDAN, LLP AVANEX CORPORATION 3040 POST OAK BLVD **SUITE 1500** HOUSTON, TX 77056

**CONFIRMATION NO. 4993 371 FORMALITIES LETTER** OC000000016490402\*

Date Mailed: 07/11/2005

# NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/23/2005
- English Translation of the IA filed on 02/23/2005
- Copy of the International Search Report filed on 02/23/2005
- Preliminary Amendments filed on 02/23/2005
- Information Disclosure Statements filed on 02/23/2005
- Oath or Declaration filed on 02/23/2005
- U.S. Basic National Fees filed on 02/23/2005
- Priority Documents filed on 02/23/2005

The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

\$130 Late oath or declaration Surcharge.

# ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

WINSTON M ALVARADO

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## PART 2 - OFFICE COPY

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U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525 572	PCT/FR03/02547	AVAN/000657US

FORM PCT/DO/EO/905 (371 Formalities Notice)